

(Stipulating Parties Listed on Signature Pages)

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

**In re: CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION**

**Case No. 07-5944 SC**

**MDL No. 1917**

This Document Relates to: Individual  
Case No. 3:13-cv-00157-SC

**STIPULATION AND ~~[PROPOSED]~~  
ORDER REGARDING THE COMPLAINT  
IN THE TECH DATA ACTION**

TECH DATA CORPORATION; TECH  
DATA PRODUCT MANAGEMENT, INC.,

vs.

HITACHI, LTD., *et al.*,

1 WHEREAS, on December 11, 2012, Tech Data Corporation and Tech Data Product  
2 Management, Inc. (collectively, "Plaintiffs") filed a Summons and Complaint in the Middle  
3 District of Florida, *Tech Data Corporation, et al. v. Hitachi, Ltd. et al.*, Case No. 8:12-cv-02795-  
4 JSM-MAP (the "Tech Data Summons" and the "Tech Data Complaint," respectively);

5 WHEREAS, on December 21, 2012, Plaintiffs notified the United States Judicial Panel on  
6 Multidistrict Litigation that the Tech Data Complaint is a "tag-along action" related to MDL No.  
7 1917, 3:07-cv-05944-SC, *In re Cathode Ray Tube (CRT) Antitrust Litigation*;

8 WHEREAS, on January 4, 2013, the United States Judicial Panel on Multidistrict Litigation  
9 transferred the Tech Data Complaint to the United States District Court for the Northern District  
10 of California for consolidated pretrial proceedings and assigned it to the Honorable Samuel Conti  
11 (Dkt. 1518);

12 WHEREAS, the undersigned Defendants named in the Tech Data Complaint ("Defendants")  
13 have not yet been formally served with process;

14 IT IS HEREBY STIPULATED AND AGREED by and between counsel for the undersigned  
15 Plaintiffs and Defendants, as follows:

16 1. Each of the undersigned Defendants shall be deemed served with the Tech Data Summons  
17 and Complaint as of the date of execution of this Stipulation.

18 2. The Tech Data Complaint asserts similar causes of action alleged by the following Direct  
19 Action Plaintiff complaints: *Stoebner v. LG Electronics, Inc.*, No. 11-cv-05381 (N.D. Cal.) (Nov.  
20 7, 2011); *Target Corp. v. Chunghwa Picture Tubes, Ltd.*, No. 11-cv-05514 (N.D. Cal.) (Jan. 6,  
21 2012); *P.C. Richard & Son Long Island Corp. v. Hitachi, Ltd.*, No. 12-cv-02648 (N.D. Cal.) (Nov.  
22 14, 2011); *Schultze Agency Servs., LLC v. Hitachi, Ltd.*, No. 12-cv-02649 (N.D. Cal.) (Nov. 14,  
23 2011); *CompuCom Systems, Inc. v. Hitachi, Ltd.*, No. 11-cv-06396 (N.D. Cal.) (Nov. 14, 2011);  
24 *Interbond Corp. of Am. v. Hitachi, Ltd.*, No. 11-cv-06275 (N.D. Cal.) (Nov. 14, 2011); *Costco*  
25 *Wholesale Corp. v. Hitachi, Ltd.*, No. 11-cv-06397 (N.D. Cal.) (Nov. 14, 2011); *Siegel v. Hitachi,*  
26 *Ltd.*, No. 11-cv-05502 (N.D. Cal.) (Nov. 14, 2011); *Office Depot, Inc. v. Hitachi, Ltd.*, No. 11-cv-  
27 06276 (N.D. Cal.) (Nov. 14, 2011); *Best Buy Co., Inc. v. Hitachi, Ltd.*, No. 11-cv-05513 (N.D.  
28 Cal.) (Nov. 14, 2011); and *Electrograph Systems, Inc. v. Hitachi, Ltd.*, No. 11-cv-01656 (N.D.

1 Cal.) (Mar. 10, 2011).

2 3. The Tech Data Complaint seeks damages based on Tech Data's purchases of products  
3 containing CRTs, however, the Tech Data Complaint does not assert any claims that Defendants  
4 have combined and conspired to fix, raise, maintain or stabilize the prices of products containing  
5 CRTs ("CRT Finished Products").

6 4. On August 17, 2012, Defendants filed motions to dismiss and for judgment on the  
7 pleadings with respect to the following Direct Action Plaintiff complaints (the "Dispositive  
8 Motions"): *Stoebner v. LG Electronics, Inc.*, No. 11-cv-05381 (N.D. Cal.) (Nov. 7, 2011); *Target*  
9 *Corp. v. Chunghwa Picture Tubes, Ltd.*, No. 11-cv-05514 (N.D. Cal.) (Jan. 6, 2012); *P.C. Richard*  
10 *& Son Long Island Corp. v. Hitachi, Ltd.*, No. 12-cv-02648 (N.D. Cal.) (Nov. 14, 2011); *Schultze*  
11 *Agency Servs., LLC v. Hitachi, Ltd.*, No. 12-cv-02649 (N.D. Cal.) (Nov. 14, 2011); *CompuCom*  
12 *Systems, Inc. v. Hitachi, Ltd.*, No. 11-cv-06396 (N.D. Cal.) (Nov. 14, 2011); *Interbond Corp. of*  
13 *Am. v. Hitachi, Ltd.*, No. 11-cv-06275 (N.D. Cal.) (Nov. 14, 2011); *Costco Wholesale Corp. v.*  
14 *Hitachi, Ltd.*, No. 11-cv-06397 (N.D. Cal.) (Nov. 14, 2011); *Siegel v. Hitachi, Ltd.*, No. 11-cv-  
15 05502 (N.D. Cal.) (Nov. 14, 2011); *Office Depot, Inc. v. Hitachi, Ltd.*, No. 11-cv-06276 (N.D.  
16 Cal.) (Nov. 14, 2011); *Best Buy Co., Inc. v. Hitachi, Ltd.*, No. 11-cv-05513 (N.D. Cal.) (Nov. 14,  
17 2011); and *Electrograph Systems, Inc. v. Hitachi, Ltd.*, No. 11-cv-01656 (N.D. Cal.) (Mar. 10,  
18 2011). (Dkts. 1316, 1317, 1319).

19 5. The Dispositive Motions are fully briefed and set for oral argument before the Honorable  
20 Charles A. Legge on February 14, 2013.

21 6. Pending the resolution of the Dispositive Motions, the undersigned Defendants do not  
22 need to answer or otherwise respond to the Tech Data Complaint. Once the Honorable Samuel  
23 Conti rules on the Dispositive Motions, the parties agree to set a reasonable deadline for  
24 Defendants' answer and/or a reasonable briefing schedule for Defendants' motion to dismiss Tech  
25 Data's Complaint.

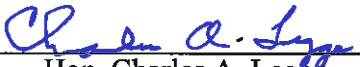
26 7. The parties agree that notwithstanding Plaintiff's agreement to an extension of time for  
27 Defendants to respond to the Complaint, this matter shall proceed on the same schedule as the  
28 matters identified in Paragraph 2 of this Stipulation.

1 ////

2 8. The undersigned parties jointly and respectfully request that the Court enter this  
3 stipulation as an order.

4  
5 PURSUANT TO STIPULATION, IT IS SO ORDERED.

6 Dated: 2/14/13

  
Hon. Charles A. Legge  
United States District Judge (Ret.)  
Special Master

7  
8  
9 Dated: 9/18/2013

  
Hon. Samuel Conti  
United States District Judge

10  
11  
12 DATED: February 13, 2013

13  
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